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PATENT TRADEMARK OFFICE

Docket No. 534334-017

DECLARATION AND POWER OF ATTORNEY

As below named inventors, I/we hereby declare that:

My/our residence, post office, address and citizenship are as stated below next to my/our name(s); that

I/we verily believe I/we am/are the original, first and sole inventor(s)s (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled:

MODEM TUNER,

described and claimed

 X in the attached specification;
 in the specification filed ,
as U.S. Application Serial No. ,
and as amended .

I/we hereby state that I/we have reviewed and understand the contents of the above identified specification, including the claims as filed and as amended by any amendment referred to above.

I/we acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

PRIORITY CLAIM

I/we hereby claim foreign priority benefits under title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

<u>Prior Foreign Application(s)</u>			<u>Priority Claimed</u>	
<u>0026213.9</u>	<u>GB</u>	<u>25 October 2000</u>	<u>X</u>	
Number	Country	Day/Mo/Yr	Yes	No
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Number	Country	Day/Mo/Yr	Yes	No

I/we hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

<u> </u>	<u> </u>
Application No.	Filing Date
<u> </u>	<u> </u>
Application No.	Filing Date

Declaration and Power of Attorney Claiming Priority

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I/we hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I/we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>

I/we appoint

Theodore D. Lienesch	Reg. No. 28,235
Mark P. Levy	Reg. No. 27,922
Douglas E. Erickson	Reg. No. 29,530
James R. Eley	Reg. No. 36,790
Jason D. [Vierra-]Eisenberg	Reg. No. 43,447
Michael J. Nieberding	Reg. No. 39,316
Steven J. Elleman	Reg. No. 41,733
John M. Mueller	Reg. No. 44,248
John F. Kane	Reg. No. 44,815

My/our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Address all telephone calls to (937) 443-6958. Address all correspondence to: Thompson Hine, LLP, 2000 Courthouse Plaza N.E., 10 W. Second Street, Dayton, Ohio 45402-1758, Attention: Theodore D. Lienesch.

I/we further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Declaration and Power of Attorney Claiming Priority

Attorney Docket 534334-017

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Full name of sole or first Inventor – Nicholas Paul Cowley

Inventor's Signature _____ Date _____

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